REMARKS

Claims 11, 13-21, 23-33, and 37-68 are pending in the application and stand rejected. The Examiner's reconsideration of the rejection in view of the following remarks is respectfully requested.

Claim Rejections- 35 U.S.C. § 103(a):

Claims 11, 13-21, 23-33, 44-45, 47-51, and 60-68 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewak et al. (U.S. 5,544,360) in view of Herz (U.S. 6,029,195). Claims 37-43 and 46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewak and Herz as applied to claim 11 above, and further in view of Lang et al. (U.S. 5,867,799). Claims 52 and 56-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewak and Herz as applied to claim 11 above, and further in view Using Netscape (1995 Que Corporation, pp. 55, 67).

It is respectfully submitted that, at the very minimum, the combination of Lewak and Herz is legally deficient to establish a prima facie case of obviousness under 35 U.S.C. § 103(a) to support the rejection of Claims 11 and 61 because the combination does not teach or suggest *incrementally retraining the classifier to adapt to modifications of the collection*, as essentially claimed in claims 11 and 61.

The Examiner correctly notes that Lewak does not specifically teach a method of incrementally retraining the classifier.

The Examiner contends that Herz discloses a method of categorizing text messages utilizing a user target profile interest summary, said summary is automatically updated on a continuing basis (Col. 7, lines 15-17) and that this discloses *incrementally retraining a classifier to adapt to modifications of the collection,* as essentially claimed in claims 11 and 61. The Examiner also states on page 20 of the Final Office Action that although Herz discloses updating

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on a continuing basis (as cited), "updating" does not necessarily mean said profile is changed. Since a typical person's interests remain the same, Herz's actual retraining only occurs on an incremental basis to commensurate with a user's changing interests.

Applicants respectfully disagree.

Herz discloses a computer filing system for accessing files and data and automatically updating a user's target profile interest summary on a continuing basis and not on an incremental basis (Col. 7, lines 15-17). In other words, the system disclosed in Herz is constantly and automatically updating a user's target profile interest summary to reflect the user's changing interest and does not wait to adapt the modifications of a collection by incrementally retraining a classifier (Col. 7, lines 15-17). Indeed, nothing in the cited passage teaches or suggests that the retraining of a classifier occurs on an incremental basis or that actual retraining only occurs on an incremental basis to commensurate with a user's changing interests, as contended by the Examiner. In contrast , in the present invention, the user may add a new message to a folder or move a message from one folder to another, and the system does not retrain the classifier until some predetermined criteria has been met, e.g., time. Thus, Herz does not cure the deficiencies of Lewak nor does Herz or Lewak, singularly or in combination, teach or suggest an automated method comprising the step of *incrementally retraining the classifier to adapt to modifications of the collection,* as recited in claims 11 and 61 of the present invention.

Therefore, claims 11 and 61 are believed to be patentably distinct and non-obvious over the cited references for at least the reasons stated above.

Claims 13-21, 23-33, 37-60, 64- 68 depend from claim 11, and claims 62-63 and 67 depend from claim 61. Therefore, the dependent claims are allowable for at least the same reasons as the independent claims 11 and 61.

Further, the dependent claims are allowable for additional reasons. For instance, neither
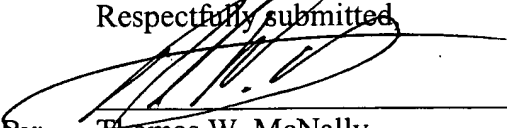
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Herz nor Lewak disclose, *inter alia, the predetermined criteria for automatically performing the retraining is when a threshold number of documents have been added, deleted, or moved in the collection and any combination thereof,* as essentially claimed in claim 66. Examiner contends that Lewak discloses such a feature (Col. 7, lines 55-67).

Applicants respectfully disagree.

Lewak discloses that "the user will open a file...at which time the FC system extension... will detect that action and store the path to the file in common memory. The FC manager, running as a concurrent process, during "null events..." will retrieve this path form common memory and check the path against a list of already categorized files" (Col. 7, lines 55-67), and does not disclose *the predetermined criteria for automatically performing the retraining is when a threshold number of documents have been added, deleted, or moved in the collection and any combination thereof,* as essentially claimed in claim 66. Indeed, nowhere in the cited passage of Lewak is there any mention of automatically performing a retraining step based upon any predetermined criteria, much less, disclosing the features of claim 66 as stated above.

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

By: Thomas W. McNally
Reg. No. 48,609
Attorney for Applicants

F.CHAU & ASSOCIATES, LLP
1900 Hempstead Turnpike, Suite 501
East Meadow, NY 11554
Telephone: (516) 357-0091
Facsimile: (516) 357-0092